

# **EXHIBIT J-01**

# Privacy Policy

## 1. General

At Duolingo, we care about your personal data, so we have prepared this Privacy Policy to explain how we collect, use and share it.

This Privacy Policy ("**Privacy Policy**") details the personal data Duolingo, Inc. ("**Duolingo**", "**we**", "**us**" or "**our**") receives about you, how we process it and your rights and obligations in relation to your personal data. Duolingo, Inc., a company registered at 5900 Penn Ave, Second Floor, Pittsburgh, PA 15206, United States of America is the data controller for the purposes of the General Data Protection Regulation ("**GDPR**") and any relevant local legislation ("**Data Protection Laws**").

By using or accessing the Service, you agree to the terms of this Privacy Policy. Capitalized terms not defined here have the meanings set forth in the terms and conditions (the "**Terms and Conditions**"), located at [www.duolingo.com/terms](http://www.duolingo.com/terms). We may update our Privacy Policy to reflect changes to our information practices. If we do this and the changes are material, we will post a notice that we have made changes to this Privacy Policy on the Website for at least 7 days before the changes are made, and we will indicate the date these terms were last revised at the bottom of the Privacy Policy. Any revisions to this Privacy Policy will become effective at the end of that 7 day period.

If you are an employee, worker or contractor of Duolingo, the information about how we handle your personal information is available in the Duolingo internal knowledge base. With respect to employees based in Europe, we are committed to cooperating with EU data protection authorities (DPAs) and comply with the advice given by such authorities with regard to human resources data transferred from the EU in the context of the employment relationship.

## 2. Information We Collect

This Privacy Policy explains how we collect, use and share your personal data.

*Information you provide*

### Activity Data

When you use the Service, you will submit information and content to your profile. We will also generate data about your use of our Services including your engagement in educational activities on the Service, or your sending of messages and otherwise transmitting information to other users ("**Activity Data**"). We also collect technical data about how you interact with our Services; for more information, see [Cookies](#).

When you use Duolingo in our app or on our website, we use a service named FullStory to log your activity. This provides us with a set of data and a session replay of your activity on Duolingo in the form of a video. FullStory captures and analyzes your usage data to help us make your Duolingo experience better.

We only collect the data we need which means we don't record:

- Usernames
- Names
- Profile Images
- Email addresses
- Locations or bios on the Profile page
- Passwords

We do record the following data:

#### **Usage Patterns**

- Clicks
- Mouse movements
- Scrolling
- Typing

#### **Tech Specs**

- Browser
- Device type
- Operating system
- Viewfinder size
- Script errors
- IP address

#### **Navigation**

- Pages visited
- Referrers
- URL parameters

- Session progress
- Answers

You can disable FullStory activity recording by using the opt-out function on FullStory's website [here](#).

### Live Speaking Practice

When you take a Live Speaking Lesson, we will use your computer's microphone throughout the lesson to speak to your tutor. You also have the option of using your camera to share your video with your tutor. Duolingo records these audio and video lessons and retains them until you close your Duolingo account. Duolingo uses this data to help improve the quality of the lessons and for internal research purposes.

Duolingo does not share any of your personal data with your tutor. You are completely anonymous to them by default, and you can freely choose whether you show them your video or tell them any personal details such as your name during the conversation. Duolingo only shares some basic skill level information with the tutor, prior to your lesson, so they understand how best to speak to you.

### Test Data

If you register for the Duolingo English Test, you will also provide us with your gender, native language, secondary school, and self-reported test scores for other exams. Each time you take a test you must also provide a photo of a current, valid driver's license, passport, or other government issued ID and take a photo of your face to verify your identity ("**Testing ID**").

When you use the Service to take an examination in the Duolingo English Test you must provide access to your computer's webcam and microphone. We will use them to record you and your screen during the entire examination period ("**Testing Video**"). While using the Duolingo English Test, you will submit answers to questions and other information as part of the testing and evaluation process.

The testing software will be installed onto your computer. During the test, the testing software will monitor if additional applications are running on your computer, but will not open any applications or individual files. Please close any other applications by exiting from them completely prior to starting the test.

Additionally, Duolingo will be able to note if any peripherals are used during the test (i.e. external devices attached to your computer), but will not have any control or

Duolingo will not open network packets, but will have access to network usage statistics and the volume of network traffic.

### Third Party Data

We also collect information about you from third parties. For more information, see Information obtained by Third Parties.

### Product Research and Development

We may contact you to participate in product research activities. These may include surveys, interviews, and other types of feedback sessions. When you participate in these research activities, the information you provide will be used to test, improve, and develop our products. We will record the video, audio and text transcriptions of this feedback together with any additional contact information you provide and will retain this data for two years.

Please contact us at [research@duolingo.com](mailto:research@duolingo.com) to:

- Request more information about the research activities you have volunteered for.
- Opt out of being contacted for research activities.
- Request a copy of any research related data you have provided to us.

## **3. Cookies**

When you enter the Website, we collect your browser type and your IP address (a unique address that identifies your computer on the Internet). When you use our mobile Application, we collect your device type, your device ID, and your IP address.

In addition, we store certain information from your browser using "cookies." A cookie is a piece of data stored on the user's computer tied to information about the user. We use session ID cookies to confirm that users are logged in. If you do not want information collected through the use of cookies, there is a simple procedure in most browsers that allows you to deny or accept the cookie feature; however, you should note that cookies may be necessary to provide you certain features available on the Website (e.g., customized delivery of information).

You can find more information about cookies and how to manage them at <http://www.allaboutcookies.org>.

## **4. Information Obtained by Third Parties**

**Providers**"). These Third Party Advertising Service Providers collect and use personal data about your visits to and use of the Website and mobile Application, as well as other websites in order to serve you with advertisements and content tailored to meet your preferences and likely interests or better understand ad effectiveness. Aggregate demographic and interest data will also be used for market research purposes.

We use Google Analytics which is a web analytics tool that helps us understand how users engage with the Website. Like many services, Google Analytics uses first-party cookies to track user interactions as in our case, where they are used to collect information about how users use our site. This information is used to compile reports and to help us improve our Website. The reports disclose website trends without identifying individual visitors. You can opt out of Google Analytics without affecting how you visit our site – for more information on opting out of being tracked by Google Analytics across all websites you use, visit this Google page: <https://tools.google.com/dlpage/gaoptout>.

You can opt-out of receiving personalized ads from advertisers and ad networks that are members of the Network Advertising Initiative ("NAI") or who follow the DAA Self-Regulatory Principles for Online Behavioral Advertising using their respective opt-out tools. The NAI's opt-out tool can be found here <http://www.networkadvertising.org/choices/> and the DAA's opt out tool can be found here <http://www.aboutads.info/choices/>.

In addition, your mobile devices may offer settings that enable you to make choices about the collection, use, or transfer of mobile app information for online behavioral advertising (for example, Apple iOS' Advertising ID and Google Android's Advertising ID). Please note that opting out does not prevent the display of all advertisements to you.

## 5. Use of information obtained by Duolingo

Duolingo may occasionally send you service related and product change announcements through the general operation of the Service. We will send you reminder notifications to support the Duolingo teaching methodology by reinforcing the learning cadence and help maintain your learning streak. We process your data to help provide you with the Service and offer personalized features, to understand and improve our Service and to keep our Service safe and secure.

Duolingo may use or share anonymous data collected through the Service, including Activity Data without limitation. As a business, it is critical that we perform our

service e-mails at any time.

We may also use your contact information to send you notifications regarding new services, offers and promotions offered by Duolingo if you affirmatively consent to receive such communications.

When you register with Duolingo, some of your information is made public and available at various locations including [duolingo.com/profile/your-username](https://duolingo.com/profile/your-username) and [duolingo.com/users/your-username](https://duolingo.com/users/your-username). This will include the data from your Duolingo Profile and Account (Name, Location, Bio, Username, User ID, Profile picture and Duolingo Plus membership status); your followers and the people you follow; and your learning progress (XP, Streak, Lingots, Daily Progress, Languages being learned, progress level, Crowns, Skills, Lessons undertaken, Lexemes and Strength). Tinycards decks you create are also public by default, but can be made visible to only you or to people you have shared a link with. Your Duolingo account email address is not shown publicly. Third party websites may be able to read, collect and use your public information for their own purposes.

Profile information is used by Duolingo to be presented back to and edited by you when you access the Service and to be presented to other users. In some cases, other users may be able to supplement your profile, including by submitting comments (which can be deleted by you). Duolingo uses this information to provide you with support, to send you essential notifications, to enforce our terms, conditions and policies, to communicate with you, to administer the Services, and for internal operations, including troubleshooting, data analysis, testing, research, statistical, and survey purposes. Duolingo's Terms and Conditions provide the contractual lawful basis for these processing activities.

### *Duolingo English Test*

When you take a test in the Duolingo English Test, we will use your computer's camera and microphone throughout the test to collect a Testing Video.

We will process information in connection with the Duolingo English Test comprising given name(s), surname(s), date of birth, gender, native language, country, secondary school, self-reported test scores for other exams, application IDs, a picture or scan of a current, valid driver's license, passport or other government issued ID, your Testing ID, Testing Video, data about active software processes and volume of network traffic, and answers to questions as part of the testing and evaluation process in order:

- To provide accurate testing results to Score Recipient(s) (as defined below)



- To store and review the testing video recording, the active software processes and the volume of network traffic to validate that you took the examination without improper assistance
- To evaluate your performance on the Duolingo English Test, to report results and to evaluate the usefulness, accuracy and other aspects of the Duolingo English Test
- For our research team to validate and improve the examination, in an anonymized format
- To analyze audio recordings of verbal responses to improve our ability to understand the spoken language
- To share your Testing ID with your consent upon initiation of a dispute by a Score Recipient

Duolingo's Terms and Conditions provide the contractual lawful basis for these English Test processing activities.

### Duolingo ABC

Duolingo ABC is separate from the traditional Duolingo Learning app and does not share any account information between the two. The Duolingo ABC app is designed to be set up by parents and will ask you to provide your child's age. This information is kept anonymously for research purposes and not tied to your personal data in any way. You can then choose to enable speaking exercises. Speech data is stored on your phone and uses Apple's speech recognition service to convert your voice into text. No speech data is shared with Duolingo. As a parent you also have the option of providing your email address so that Duolingo may send you information about product updates and to ask you about participating in product research. If you do provide your email address you can unsubscribe any time by emailing [literacy-feedback@duolingo.com](mailto:literacy-feedback@duolingo.com) or by clicking the unsubscribe link in any Duolingo ABC emails. Your Duolingo ABC data is backed up into Apple's iCloud which allows you to synchronize and restore the data onto another Apple device.

## **6. Sharing your personal data with third parties**

Duolingo shares your personal data only when it is necessary to offer the Service, legally required, or permitted by you.

We will provide personal data to hosting providers such as Amazon Web Services, search engine providers such as Google, analytics providers such as Crashlytics, and support providers such as ZenDesk.

These data processors help us bring you the Service. For example, we may share your information in order to detect where or how you encountered a bug when using our



of that personal data to the provision of services to Duolingo.

We will be required to access and disclose personal data in response to lawful requests, such as subpoenas or court orders, or in compliance with applicable laws. Additionally, we will access and share account or other personal data when we believe it is necessary to comply with law, to protect our interests or property, to prevent fraud or other illegal activity perpetrated through the Service or using the Duolingo name, or to prevent imminent harm. This will include accessing and sharing personal data with other companies, lawyers, agents or government agencies.

Duolingo will share the complete and accurate results of Duolingo English Tests with such institutions, including universities, potential employers, or other third parties, (collectively, "**Score Recipients**") as specified when you send your results after finishing a test or when you apply a coupon sponsored by the Score Recipient before starting a test. These results will include your test score, a video of the interview section of your test, and your written responses to certain parts of the test. We will also share your full name, date of birth, e-mail address, and the photo you take of yourself. We will never share examination results with any party without your approval, except that anonymized examination results will be used by Duolingo and its partners to improve the examination and for research and analysis. We will not share your Testing ID with any Score Recipients, except with your consent upon initiation of a dispute by a Score Recipient.

If the ownership of all or substantially all of the Duolingo business, or individual business units or assets owned by Duolingo that are related to the Service, were to change, your personal data will be transferred to the new owner. In any such transfer of information, your personal data would remain subject to this section.

Duolingo will share aggregate or anonymous data collected through the Service, including Activity Data, for purposes such as understanding or improving the service.

## 7. Data subject rights and data retention

You can manage your account settings at <https://www.duolingo.com/settings/account> to update, amend, and correct your information.

You also have the following rights in relation to the personal data we hold about you, unless provided otherwise by local law:

- To request access to, or erasure of, the personal data we hold about you.
- To request us to restrict the processing of the personal data we hold about you.

- To export the personal data you have provided to Duolingo in a format that can be transferred electronically to a third party.
- To delete your account with Duolingo by following the instructions available through the Service.

Duolingo will retain your data until your account is deleted, after which point we will retain anonymous data collected through the Service, including Activity Data, which may be used by Duolingo and shared with third parties in any manner. Information associated with the Duolingo English Test, including examination results and your Testing Video, will be collectively deleted from your Duolingo account after five years have passed from the date you upload your test, but anonymized examination data, including your examination results and Testing Video, will be kept indefinitely by Duolingo to improve the examination and for research and analysis.

Please note that some of these rights are not absolute. In some cases, we may refuse a request to exercise particular rights if complying with it meant that we are no longer able to meet our contractual obligation to provide you with particular products and services. We will keep you informed as to the actions that we can take when you make your request.

You may also have the right to make a GDPR complaint to the relevant Supervisory Authority. A list of Supervisory Authorities is available here:

[http://ec.europa.eu/justice/data-protection/bodies/authorities/index\\_en.htm](http://ec.europa.eu/justice/data-protection/bodies/authorities/index_en.htm). If you need further assistance regarding your rights, please contact us using the contact information provided below and we will consider your request in accordance with applicable law. In some cases our ability to uphold these rights for you may depend upon our obligations to process personal information for security, safety, fraud prevention reasons, compliance with regulatory or legal requirements, or because processing is necessary to deliver the services you have requested. Where this is the case, we will inform you of specific details in response to your request.

## 8. Third party websites and links

Please note that you may have cookies placed on your computer by third party websites that refer you to our Service. Although we do not share your personal data with these third party websites unless it is reasonably necessary to offer the Service, they may be able to link certain non-personally identifiable information we transfer to them with personal data they previously collected from you. Please review the privacy policies of each website you visit to better understand their privacy practices. In addition, Duolingo would like to inform you that anytime you click on links (including

Our Services contain links to other sites operated by third parties. Duolingo does not control such other sites and is not responsible for their content, their privacy policies, or their use of personal data, including any personal or financial information collected by our third party payment processor to process payments for in-app purchases. Duolingo's inclusion of such links does not imply any endorsement of the content on such sites or of their owners or operators except as disclosed on the Services. Any information submitted by you directly to these third parties is subject to that third party's privacy policy.

## 9. California privacy rights

Residents of California have the right to:

- Know what personal information we collect about you and from where we collect it.
- Access a copy of the personal information we hold about you.
- Understand how we process your personal information and how it may be shared.
- Opt out of having your personal information shared with certain third parties.
- Request we delete your Duolingo account and personal information.

To make such a request, please send an email to [privacy@duolingo.com](mailto:privacy@duolingo.com).

## 10. Children under age of digital consent

We know that children deserve extra privacy protection. That's why we treat child users differently to ensure their parents are in control and we only collect the bare minimum information we need to make Duolingo work.

When a user creates a Duolingo account we collect their age and compare it to the local standard of child online consent depending on the country they registered in. We refer to users under this age as "child users". Child users are permitted to create a user account but we ask them to provide their parent's email address instead of their own. We also prevent child users from supplying their own name because we don't need that information.

After registration we will send an email notifying the parent about Duolingo's privacy and information practices regarding child users, including what personal data we collect and how we use, share, and protect that personal data. The email also explains how parents can request that Duolingo access, change or delete the personal data about their child.

Child users receive the following special treatment:

- Uploading an avatar photo is disabled.
- Promotional emails are disabled.
- Leaderboards are disabled.
- Discussion forums are disabled.
- The child's profile is made private and hidden from other users' searches.
- Other users are unable to follow the child.
- The ability to follow other users or search for other users is disabled.
- The ability to send an invitation email is disabled.
- Finding friends on Facebook is disabled.
- Social logins with Facebook, Google or Apple are disabled.
- Social follow buttons for Twitter, Facebook and Instagram are disabled.

In addition, all users under the age of 16 receive the following special treatment:

- Advertisements are set to non-personalised.
- Third party behavioral tracking is disabled.
- Third party analytics is disabled.

To prevent restricted users from amending these features, the settings will be hidden or grayed out. In the future, once we're sure the user is old enough we will automatically remove the restrictions, reset the settings to their defaults and make the settings visible for them to configure how they choose.

With regards to the Children's Online Privacy Protection Rule ("COPPA"), Duolingo only collects personal information from children under the age of 13 for the sole purpose of performing internal operations of the Service. If we discover that we have unknowingly collected additional personal information from these children we will delete it. If you believe this to be the case, please contact us at [privacy@duolingo.com](mailto:privacy@duolingo.com).

## 11. Links

The Service may contain links to other websites. We are not responsible for the privacy practices of other websites. We encourage users to be aware when they leave the Service to read the privacy statements of other websites that collect personally identifiable information. This Privacy Policy applies only to information collected by Duolingo via the Service.

## 12. Information security

Duolingo has implemented administrative and technical safeguards it believes are appropriate to protect the confidentiality, integrity and availability of your personal data, Testing ID, User Photo, access credentials, and Duolingo English Test results.

### 13. Do Not Track

The Service is not designed to respond to "do not track" signals sent by some browsers.

### 14. Contact Us

Duolingo's headquarters are located within the USA at:

Duolingo, Inc.

5900 Penn Ave, Second Floor

Pittsburgh, PA 15206

United States of America

Phone: +1-412-567-6602

Within the EU, Duolingo, Inc. is a registered Data Controller with the UK Information Commissioner's Office (ICO), number ZA294891, at the address:

Duolingo, Inc.

85 Great Portland Street

London

W1W 7LT

United Kingdom

For all data privacy inquiries and any questions or concerns you have about this Privacy Policy, please contact our Data Protection Officer at [privacy@duolingo.com](mailto:privacy@duolingo.com)

For all support inquiries, please go to <https://support.duolingo.com>.

Last revised on 11th October, 2018